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16 CALIFORNIA RIVER WATCH

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24 Attorneys for Defendants  
25 COLD CREEK COMPOST, INC.,  
26 and MARTIN MILECK

27 UNITED STATES DISTRICT COURT  
28 NORTHERN DISTRICT OF CALIFORNIA

29 CALIFORNIA RIVER WATCH, a  
30 501(c)(3) non-profit, Public Benefit  
31 Corporation,

32 Plaintiff,

33 v.

34 COLD CREEK COMPOST, INC.;  
35 MARTIN MILECK; DOES 1-10,  
36 Inclusive,

37 Defendants.

CASE NO: 3:14-cv-01212 VC

**STIPULATION AND CONSENT TO  
FILING OF FIRST AMENDED  
COMPLAINT; STIPULATION AND  
REQUEST FOR CONTINUANCE OF  
INITIAL CASE MANAGEMENT  
CONFERENCE; ~~PROPOSED~~  
ORDER**

Date: June 27, 2014  
Time: 10:30 a.m.  
Ctrm 4  
Judge: Hon. Vince Chhabria

1 IT IS HEREBY STIPULATED and agreed to by and between the parties to this action, that  
 2 Plaintiff CALIFORNIA RIVER WATCH is allowed to file the First Amended Complaint for  
 3 Injunctive Relief, Civil Penalties, Restitution and Remediation, which First Amended Complaint  
 4 was filed with this Court as Dkt #17. By stipulating to the filing of the First Amended Complaint,  
 5 Defendants are not approving or admitting the allegations or contents of the First Amended  
 6 Complaint, or waiving their defenses thereto.

7 IT IS FURTHER STIPULATED and agreed to by and between the parties to this action,  
 8 that Defendants COLD CREEK COMPOST, INC. and MARTIN MILECK will have up to and  
 9 including June 30, 2014 within which to plead in response to the First Amended Complaint.

10 IT IS FURTHER STIPULATED by and between the parties, upon the consent and  
 11 approval of this Court, that the Initial Case Management Conference currently set for June 27,  
 12 2014 be continued to July 25, 2014. This Stipulation is based on the Declaration of David  
 13 Weinsoff filed simultaneously herewith. No case management schedule has yet been ordered for  
 14 this case. No changes to the ADR process or schedule are required.

15  
 16 DATED: 5.20.14

LAW OFFICE OF DAVID J. WEINSOFF

17  
 18 By: 

19 DAVID J. WEINSOFF  
 20 Attorney for Plaintiff  
 CALIFORNIA RIVER WATCH

21 DATED: May 20, 2014

LAW OFFICE OF SHERRI M. KIRK

22  
 23 By: 

24 SHERRI M. KIRK  
 25 Attorney for Defendants  
 26 COLD CREEK COMPOST, INC. and  
 27 MARTIN MILECK

**~~PROPOSED~~ ORDER**

PURSUANT TO STIPULATION, it is ordered that Defendants shall have up to and including June 30, 2014 to file a responsive pleading to Plaintiff's First Amended Complaint.

Further, the Initial Case Management Conference scheduled for June 27, 2014 is hereby continued to July 25, 2014 at 10:30 a.m. in Courtroom 4 of this Court. The parties shall file a Joint Case Management Statement and Proposed Case Management Order no later than 7 calendar days before July 25, 2014.

IT IS SO ORDERED.

DATED: May 23, 2014

  
\_\_\_\_\_  
VINCE CHHABRIA  
United States District Judge